

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                   |   |                 |
|-----------------------------------|---|-----------------|
| In re Application of              | ) |                 |
|                                   | ) |                 |
| <b>Diachina et al.</b>            | ) |                 |
|                                   | ) |                 |
| Serial No.: TBD                   | ) | Continuation of |
|                                   | ) | 09/378,820      |
| Filed:                            | ) |                 |
|                                   | ) |                 |
| For: <b>SEAMLESS RE-SELECTION</b> | ) |                 |
| <b>METHOD FOR MOBILE DATA</b>     | ) |                 |
| <b>SERVICES</b>                   | ) |                 |
|                                   | ) |                 |
| Attorney's Docket No. 4015-5164   |   |                 |

**DECLARATION OF JOHN W. DIACHINA**

I, John W. Diachina, hereby declare as follows:

- 1) Not later than July 26, 1999, I jointly conceived an invention tentatively entitled "Seamless Handover For Mobile Packet Data Service In GPRS 136hs Compact." The invention was described in an Invention Disclosure, a partially redacted copy of which is attached hereto as Exhibit #1. All dates redacted from Exhibit #1 are before July 27, 1999. When the invention was conceived, and when the application was filed, I was under an obligation to assign the invention to Ericsson Inc.
  
- 2) My invention was approved for patenting by Ericsson Inc. in July 1999, and the Invention Disclosure was forwarded to outside patent counsel working with Ericsson Inc. at that time, on or about July 27, 1999, with a request to prepare and file a patent application.
  
- 3) A patent application for the invention was prepared by the outside counsel and filed with the U.S.P.T.O. on or about August 23, 1999, receiving U.S. Application Serial No. 09/378,820.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

October 27, 2003  
Date

John W. Diachina  
John W. Diachina

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|                                   | ) |                 |
| Attorney's Docket No. 4015-5164   | ) |                 |

DECLARATION OF GUNNAR RYDNELL

I, Gunnar Rydnell, hereby declare as follows:

1) Not later than July 26, 1999, I jointly conceived an invention tentatively entitled "Seamless Handover For Mobile Packet Data Service In GPRS 136hs Compact." The invention was described in an Invention Disclosure, a partially redacted copy of which is attached hereto as Exhibit #1. All dates redacted from Exhibit #1 are before July 27, 1999. When the invention was conceived, and when the application was filed, I was under an obligation to assign the invention to Ericsson Inc.

2) My invention was approved for patenting by Ericsson Inc. in July 1999, and the Invention Disclosure was forwarded to outside patent counsel working with Ericsson Inc. at that time, on or about July 27, 1999, with a request to prepare and file a patent application.

3) A patent application for the invention was prepared by the outside counsel and filed with the U.S.P.T.O. on or about August 23, 1999, receiving U.S. Application Serial No. 09/378,820.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

October 21 2003  
Date

Gunnar Rydell  
Gunnar Rydell

## Declaration and Power of Attorney for Patent Application

COPY

As below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names,

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **SEAMLESS RE-SELECTION METHOD FOR MOBILE DATA SERVICES**, the specification of which

☒ is attached hereto.

(Check one)

☐ was filed on \_\_\_\_\_ as  
Application Serial Number \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to us which is material to patentability (as defined in C.F.R. §1.56) in connection with the examination of this application.

We hereby claim foreign benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

|                  |           |                        |                              |                             |
|------------------|-----------|------------------------|------------------------------|-----------------------------|
| NONE<br>(Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| (Number)         | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| (Number)         | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

## Declaration and Power of Attorney for Patent Application

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

|                          |               |                                      |
|--------------------------|---------------|--------------------------------------|
| NONE                     |               |                                      |
| (Application Serial No.) | (Filing Date) | (Status: Patented/Pending/Abandoned) |

|                          |               |                                      |
|--------------------------|---------------|--------------------------------------|
|                          |               |                                      |
| (Application Serial No.) | (Filing Date) | (Status: Patented/Pending/Abandoned) |

**Power of Attorney:** As a named inventor, I hereby appoint the following agents/attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Charles L. Moore, Jr.  
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## Declaration and Power of Attorney for Patent Application

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Facsimile: (919) 854-2084

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SOLE OR FIRST INVENTOR:

Full name: John W Diachina  
First Name Middle Name/Initial Last Name

Signature: [Signature] [Signature] [Signature] Date: 09-13-99  
First Name Middle Name Last Name Year-Month-Day


Residence: Garner, North Carolina, USA  
City, State, and Country

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**Declaration and Power of Attorney for Patent Application**

**SECOND INVENTOR, IF ANY:**

Full name: Gunnar Rydnell  
First Name Middle Name/Initial Last Name  
Signature:  Date: 09-15-99  
First Name Middle Name Last Name Year-Month-Day  
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